

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1(currently amended). A method for modifying a set of informational material for presentation on a video presentation device for a user comprising:

- (a) presenting programming content to a user in a first display mode of said video presentation device, said first video display mode displaying programming content of a user-selected channel, to which said display device is tuned;
- (b) receiving a first instance of a signal associated with the depression of a button on a remote for controlling said video presentation device, and in response to the receipt of said first instance of said signal, presenting first informational material to said user in a second display mode of said presentation device while said display device is tuned to said user-selected channel, where said first informational material is unrelated to said user-selected channel;
- (c) receiving; a second instance of said signal while said first informational material is displayed to said user, and in response to the receipt of said second instance of said signal, presenting second informational material to said user while said display device is tuned to said user-selected channel, where said second informational material is unrelated to said user-selected channel; and
- (d) where said first and second informational material, respectively, are sequentially adjacent ones in a list of preferred informational material for said user and maintained on said video presentation device, wherein a relative ranking in said list between said first and said second informational material is automatically determined based upon a the duration that said user views respective instances of said first and second informational material, calculated over a temporal time period, where said duration excludes respective viewing intervals less than a minimum duration and greater than a maximum duration.

Appl. No. 10/676,986  
Amtd. dated January 29, 2009  
Reply to Office action of November 14, 2008

2(previously presented). The method of claim 1 where said second informational material is presented in a third display mode different from each of said first and second display modes.

3(previously presented). The method of claim 1 wherein said second informational material is presented in a third display mode different from each of said first and second display modes.

4(canceled).

5(previously presented). The method of claim 1 wherein said temporal time period is a plurality of days.

6(canceled).

7(currently amended). The method of claim [[6]] 1 wherein said minimum duration threshold is 3 seconds.

8(canceled).

9(currently amended). The method of claim [[8]] 1 wherein said maximum duration threshold is 45 seconds.

10-11(canceled).

12(previously presented). The method of claim 1 wherein said list includes less than all informational material available to said user through said video presentation device.

13(previously presented). The method of claim 1 wherein said modifying is further based upon the time of day that said user selects respectively different informational materials.

14(previously presented). The method of claim 1 wherein said modifying is further based upon the day of the week that said user selects respectively different informational materials.

15(previously presented). The method of claim 1 wherein said modifying is further based upon the day of the month that said user selects respectively different informational materials.

16(previously presented). The method of claim 1 wherein said list is determined in a manner free from explicit user definition.

17-18(canceled).